

APPEAL NO. 021963  
FILED SEPTEMBER 5, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on July 5, 2002. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) is not entitled to reimbursement of travel expenses for medical treatment at the direction of Dr. P from March 11 through April 5, 2002. The claimant appealed and the respondent (carrier) responded.

DECISION

The hearing officer's decision is affirmed.

It is undisputed that Dr. P, the claimant's treating doctor, is a chiropractor and that his office is more than 20 miles one way from the claimant's residence. The hearing officer found that medical treatment for the claimant's compensable injury was reasonably available within 20 miles of the claimant's residence and determined that the claimant is not entitled to reimbursement of travel expenses for medical treatment at the direction of Dr. P from March 11 through April 5, 2002. Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 134.6(b) (Rule 134.6(b)) provides in pertinent part that an injured employee is entitled to reimbursement for travel expenses only if medical treatment for the compensable injury is not reasonably available within 20 miles of the injured employee's residence. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. We conclude that the hearing officer's decision is supported by sufficient evidence and that it is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **AMERICAN INTERSTATE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**STEVE ROPER  
1616 SOUTH CHESTNUT STREET  
LUFKIN, TEXAS 75901.**

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Robert W. Potts  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge